

ask me how can I say with the majority of voters intention is, I can determine that by the individuals who are opposed to looking at the ballots to properly decide this issue. That's how we determine who the voters of that district wanted. We look at the ballots. Senator Warner, in a December meeting, stated that the intent of the voters should determine the outcome of this contest. Seeing the position that he put him and others in, they began to look for a means not to deal with the crucial issue. We are talking here today more than just to the people sitting in this chamber, we are talking to the people of this state. We are telling them that we are willing to let the Legislature be stripped of its dignity. We're willing to let the Legislature be characterized as a body which tucks tails and runs from one man. He cannot walk on water. He cannot suspend the earth from a rope of sand. He cannot speak and make the sun stand still. He has flesh and blood like you. Things mean what we let them mean. The Constitution, traditionally, has meant a great deal. As far as how I feel about it, I think it's a very important document. It is the fundamental law of the land. I'm saying what I'm saying for the record, because I'll be able to live with the position I take. There are others who will crayfish and try to apologize and explain there unwillingness to deal with the responsibility that we've had placed squarely on us by the Constitution of this state. There is no way out. A lot of times issues will be improperly framed so that in responding to that improper framing of the issue a person can say that he or she discharged his or her total responsibility, but I want the issue framed squarely and properly for us today.

I have a couple of points I want to make. Senator Warner said that the Legislature, a person running for the Legislature.... a legislative election, is not different from other elections. Oh, but it is. He said legislators don't have privileges other citizens and office-holders don't have. Oh, but they do. Had he read the Constitution, which they should have read, he knows that legislators, while we're in session, cannot be arrested for misdemeanors. He knows that we cannot be questioned in any other place or brought to account for anything we say during debate on legislative subjects, and that extends to committee hearings. Those things he ought to know. He also should know that whereas the court assumed jurisdiction of the election contest that the Attorney General presented to him, the court refused jurisdiction of this legislative contest. That should show the essential and fundamental difference between the office of the Legislature and any other office created by statute. Since the court will not assume jurisdiction over any legislative contest, Senator Warner and others including the Attorney General make a mistake to take a decision in a court dealing with another election, that the court would take jurisdiction over and say that that decision should apply to a legislative contest when the court has stated that it will not take jurisdiction over legislative contest. It belongs in this body. There is another point. Jurisdiction is not created by the posting of a bond. Jurisdiction of the Legislature is not destroyed by non-posting of a bond. A right to have...

PRESIDENT: Two minutes Senator.